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中国农地使用权流转研究

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中国农地使用权流转研究

Research on the Circulation of Farmland Usufruct in China

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论文摘要

土地是“三农”问题的根本，是制约中国农业发展的一个关键性因素。创新农地制度、优化农地资源配置是社会主义新农村建设战略不可或缺的重要组成部分和制度保障。

在社会主义新农村的建设中，我们应该如何创新农地制度？从历史的角度考察，我国早已存在农地所有权和使用权的流转。在人均耕地资源日趋紧张的制约下，两种流转的结果完全不同：所有权流转加剧了土地的零星分割，阻碍农业生产技术的进步；而使用权流转则有力地缓解了土地的零星分割，提高了农地资源的有效利用率。由此可见，农地使用权制度的改革应该是我们的理性选择。从产权理论的角度分析，产权是一组权利束。在这组权利束中，不论是农地国有化抑或是私有化的所有权改革，其改革成本和收益之比显然远远高于农地使用权改革的成本收益比；而以使用权流转为核心的使用权制度改革不仅比所有权的改革更为重要，且是任何农地产权改革方案都绕不开的难题。从社会主义新农村建设战略的角度看，农地使用权流转是发展生产、富裕农民、构建和谐农村的制度保证。所以，坚持家庭承包责任制基础上的农地使用权流转是我国农地制度创新的关键，也是社会主义新农村建设成败的关键。

然而，在我国当前农地使用权流转的推进过程中，却遇到了来自农内农外多种因素的挑战，导致农地使用权流而不畅、农地适度规模经营举步维艰。现实需要我们对农地使用权流转的模式、流转的价格以及农户流转的行为等给予足够的关注。

丰富多样的农地使用权流转模式是我国农民的伟大创造，同时也为流转的发展提供了广阔的选择空间，但模式选择的合理与否事关流转的绩效和成败，所以本文对农地使用权的多种模式进行分析，总结了各种模式的优点和缺陷、适用范围，并提出各种模式如何进一步完善的建议。

作为市场机制核心的价格机制的扭曲，不仅抑制了农地使用权的长期供给和短期需求，使农地使用权的流转陷入僵滞状态，而且还导致了农业生产的内卷性，阻碍了农业现代化的进程。我国农地使用权流转价格低廉的症结是地租实体的萎缩，但农地使用权供给和需求的影响也是极其重要的。所以，本文在对农地使用权供给和需求制约因素的进一步分析中，揭示阻碍农地使用权流转的宏观因

素。

农地使用权的流转行为建立在特定的微观基础上，这一理性的行为总是在风险和利润之间博弈，以寻求风险最小化条件下的效用最大化方案。农户的微观基础不同，转出的意愿也不尽相同。土地流转的最终意义是发挥规模经营的优势，而要实现成片毗连的土地流转，既要改善农地使用权流转的微观基础，又要用较高的报酬置换农村承包地所承担的功能、降低转出户面临的风险。为此，就要提高转入地的经营效率，实现“ $1+1>2$ ”的效益。

当然，农地使用权的流转必须依赖一定的条件。本文还在农地使用权流转条件分析的基础上，给出相应的对策。

关键词：农村土地；产权改革；使用权流转

厦门大学博硕

Abstract

Land is the core of “agriculture, rural areas and farmers” problem, which is a key factor that hinders the development of Chinese agriculture. Innovating farmland system and optimizing farmland resource distribution are indispensable determinants and safeguards of socialism new-countryside construction.

How should we innovate the farmland system during the process of constructing socialism new-countryside? Investigated from historical perspective, there have been circulations of farmland ownership and usufruct at the same time in the history. Due to the shortage situation of per capita cultivated land getting worse day by day, the results of these two are totally different: the circulation of ownership has aggravated the sporadic division of land and hindered the progress of agricultural production technology; however, the circulation of usufruct has relieved the sporadic division of land effectively and improved the effective utilization percent of farmland resources. Obviously, the reform of farmland usufruct system will be the rational choice. Analyzed from the perspective of property right theory, the property right is a bunch of rights, in which the ratio of its reform cost to its income is obviously higher than that of the reform cost of farmland usufruct to the income, no matter by the farmland nationalization or the ownership privatization. Therefore, the reform of farmland's usufruct circulation is much more important than that of ownership, and this is a difficulty we have been encountering. And the circulation of usufruct is the guarantee of developing production, making the farmers richer and constructing the harmonious countryside. It is a prerequisite of achieving the second leap of countryside. So, on the basis of sticking to the family's contracted responsibility system, the circulation of farmland usufruct is the key factor of innovating Chinese farmland system, and of constructing the socialist new countryside.

But during the promotion of the farmland's usufruct circulation, challenges from many factors related or unrelated to agriculture occurred. Farmland usufruct is going on but not smoothly. The appropriate scale of farmland operation still has a long way to go. The reality needs us to pay sufficient concerns to the circulation mode of the farmland usufruct, the price of the circulation and the behavior of the farmers' circulation.

The various circulation model of farmland usufruct are the great creation of the

farmers in our country. They have offered the broad choice space for circulation. But the correctness of mode selection concerns the performance, even success of the circulation, so this paper analyzes different kinds of farmland usufruct model. It also summarizes their advantages, defects, applicable scopes, and propose the suggestion of how to further improve various model.

As the core of the market mechanism, the distortion of price mechanism has not only restricted the long-term supply and short-term demand of farmland usufruct, stagnated the circulation of the farmland usufruct, but also led to the involution of agricultural production, thus hindered the process of agricultural modernization. In our country, the sticking point of the low price of farmland usufruct circulation is the shrinking of land rent entity. But the influence of the farmland usufruct's supply and demand is extremely important as well. So, in the further analysis of the factors that restrict the supply and demand of farmland usufruct, the important task is to study on the macroscopical factor that hinders the circulation of farmland usufruct.

The circulation behaviors of farmland usufruct are set up on specific micro basis. The rational behavior is a game between risk and profit for seeking maximum efficiency in the condition of minimum risk. The farmers' micro foundations are different, and their wills to circulate are not the same. The goal of farmland circulation is to exert the advantage of appropriate scale of operation, and achieve the circulation of adjacent farmlands. Therefore, we cannot only improve the micro foundation on which farmland usufruct circulates, but also achieve the benefit of " $1+1>2$ ", with more efficient operation.

Certainly, the circulation of farmland usufruct must depend on certain conditions, so this paper also provide corresponding countermeasures on the basis of analyzing the conditions of farmland usufruct circulation.

Keywords: rural land; property right reform; circulation of usufruct

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